

08/12/04

HW 1652  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Woon-Lam Susan Leung et al. Docket No.: 39766-0128A  
Serial No.: 09/422,528 Group Art Unit: 1652  
Filing Date: October 21, 1999 Examiner: Fronda, Christian L.  
For: **PROCESS FOR BACTERIAL PRODUCTION OF POLYPEPTIDES**

**EXPRESS MAIL LABEL NO.: EL 993 689 001 US**  
**MAILING DATE: August 10, 2004**

**RESPONSE TO OFFICE ACTION**

**MS: Fee Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on February 10, 2004 in connection with the above-identified patent application, please consider the following remarks. The present Response is accompanied by a request for a three months extension of time and its, therefore, timely.

**Remarks/Arguments** start on page 2 of this paper.

**FEE TRANSMITTAL**  
for FY 2004  
Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 950.00)

**Complete if Known**

Application Number	09/422,528
Filing Date	October 21, 1999
First Named Inventor	Woon-Lam Susan Leung
Examiner Name	Fronza, Christian L.
Art Unit	1652
Attorney Docket No.	39766-0128A

**METHOD OF PAYMENT (check one)**

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:  
Deposit Account Number: 08-1641 (Docket No. 39766-0128A)  
Deposit Account Name: Heller Ehrman White & McAuliffe LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					(\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	950.00
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
* Reduced by Basic Filing Fee Paid					
<b>SUBTOTAL (3)</b>					(\$ 950.00)

**SUBMITTED BY**

Name (Print/Type)	GINGER R. DREGER, ESQ.	Registration No. (Attorney/Agent)	33,055	Telephone	650-324-7000
Signature		Date	August 10, 2004	Customer No.	25213

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop 3, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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